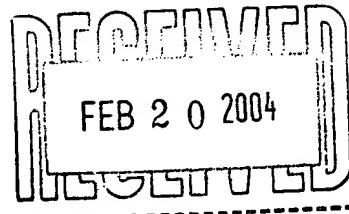


PATENT
SHIM1120

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Aizawa et al. Art Unit: 1648
Application No.: 09/830,019 Examiner: E.M. Lee
Filing Date: September 21, 2001 Conf. No.: 9316
Title: VACCINE PREPARATIONS CONTAINING ATTENUATED TOXIN

Commissioner for Patents
P.O. Box 1450
Arlington, VA 22313-1450



Sir:

PRELIMINARY AMENDMENT AND
RESPONSE TO RESTRICTION REQUIREMENT

In response to the Restriction Requirement mailed herein on November 4, 2003, Applicants request amendment of the claims and consideration of the following remarks in advance of the first substantive examination in this application:

Amendments to the Claims are reflected in the listing of claims which begins on page two of this paper.

Remarks/Arguments begin on page five of this paper.

CERTIFICATION UNDER 37 CFR §1.8	
I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date, February 4, 2004 , in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
<u>Aldon Griffis</u> (Name of Person Mailing Paper)	
(Signature)	February 4, 2004 (Date)